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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	A. BLAIR et al.	Examiner:	Unknown
Serial No.:	10/656,919	Group Art Unit:	2872
Filed:	Sept 5, 2003	Docket No.:	1010.8144UU
Title:	MODULE ASSEMBLY FOR FIBER OPTIC ISOLATOR		

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 26, 2004.

Iain A. McIntyre
Name

Signature

PETITION SUBMITTED UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

This petition is submitted along with a partially signed declaration in response to the Notice to File Missing Parts, dated November 26, 2003.

Facts

The pertinent facts are listed below.

1. The present patent application was filed on September 5, 2003, based on Provisional Patent Application Serial No. 60/409,921, filed September 10, 2002. The present application was filed with an unsigned declaration. The invention was developed by the inventors as part of their duties while employed by ADC Telecommunications Inc., Eden Prairie, Minnesota. None of the inventors remained in the employ of ADC Telecommunications Inc. at the time the present application was filed.
2. A Notice to File Missing Parts was issued by the USPTO on November 26, 2003.
3. Copies of the application were mailed by the below-signed attorney to all inventors. In particular, a copy of the application, including drawings, declaration and assignment, were sent via USPS, certified mail, return receipt on January 14, 2004, to:

Mr. John C. Holman, 1578 103rd Avenue N.W. Coon Rapids, Minnesota, 55433.

4. In the cover letter, Mr. Holman was requested to review the application and to execute the declaration and assignment enclosed with the letter. A copy of the cover letter sent to Mr. Holman is attached.
5. The application was received by Mr. Holman, as evidenced by the return postcard signed by Mr. Holman (copy attached). Mr. Holman did not respond to the letter of January 14.
6. A second letter was sent to Mr. Holman on February 20, 2004, in which Mr. Holman was reminded of the application and the request to execute the formal documents, and in which he was invited to contact the below-signed attorney with any questions. A copy of the letter of February 20, 2004, is attached. Mr. Holman failed to respond to the letter of February 20.
7. The below-signed attorney left a telephone message at Mr. Holman's home telephone no. (763 754 2298) on Friday, April 16th, 2004, requesting that Mr. Holman contact the below-signed attorney regarding the application. Mr. Holman did not respond to the request.
8. Another telephone call was made to Mr. Holman's residence, on Monday, April 26th, 2004. Another message was left in which the below-signed attorney requested that Mr. Holman contact him regarding the application. Mr. Holman had not responded by the time this petition was filed.

Petition

As is outlined in the facts above, Mr. Holman was presented with a copy of the application and declaration. Mr. Holman made no response to the first request to execute the documents, nor to the subsequent attempts to contact him by letter and telephone. Mr. Holman has now had over three months in which to sign the declaration, but has refused to make any contact with the below-signed attorney. In view of the inability to obtain any co-operation from Mr. Holman in this matter, the Office is requested to conclude that Mr. Holman's conduct constitutes a refusal to sign the application. The remaining Applicants submit this petition along with the response to the Notice to File Missing Parts, and request that the PTO consider the application to be complete.

This petition is accompanied by:

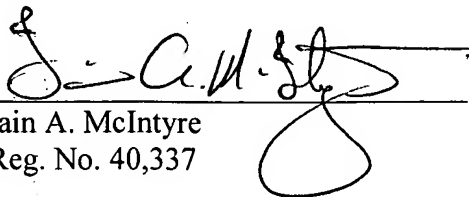
- (A) Declarations signed by the remaining inventors which, according to MPEP § 409.03(a) may be treated as a signature by the remaining inventors on behalf of Mr. Holman;
- (B) Copies of two letters sent to Mr. Holman and a return postcard indicating that the application was received by Mr. Holman
- (C) Mr. Holman's last known address, provided in paragraph 3 of the Facts, above; and

(D) A petition fee in the amount \$130 according to 37 C.F.R. § 1.17(h)
Applicants believe that all requirements of 37 C.F.R. § 1.47(a) have been met.
Should there be any further issues concerning this application, the Office is invited to
contact Iain A. McIntyre at 612 436 9610.

Respectfully submitted,

CCVL P.A.
Customer No. 38846

April 26, 2004


Iain A. McIntyre
Reg. No. 40,337



CARLSON, CASPERS, VANDENBURGH & LINDQUIST
INTELLECTUAL PROPERTY LITIGATION & COUNSELING

Iain A. McIntyre, Ph.D.
Direct Dial: 612.436.9610
E-mail: imcintyre@ccvl.com

January 14, 2004

John C. Holman
1578 103rd Avenue N.W.
Coon Rapids, MN 55433

VIA CERTIFIED MAIL

Re: U.S. Patent Application Serial Number 10/656,919 for:
MODULE ASSEMBLY FOR FIBER OPTIC ISOLATOR
Our Reference No. 1010.8144UU.

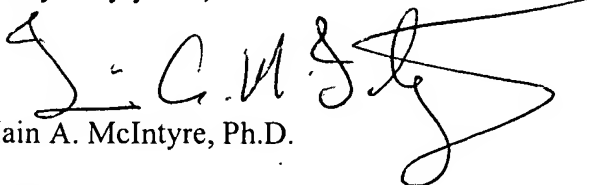
Dear Mr. Holman:

Enclosed is a copy of a Patent Application that was filed on behalf of ADC Telecommunications on September 5, 2003. We believe that you are an inventor on this application. Please review the application and check that you invented the claimed subject matter.

Enclosed are Declaration and Power of Attorney and Assignment forms. Please sign the documents and return them to us at your earliest convenience. We need to file these forms with the U.S. Patent and Trademark office within the next couple of weeks.

If you have any questions, please call or email me. Thank you for your assistance in this matter.

Very truly yours,

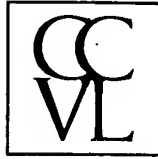

Iain A. McIntyre, Ph.D.

IAM/gmb

Enclosures

A Professional Corporation

225 South Sixth Street, Suite 3200, Minneapolis, MN 55402
Tel. 612.436.9600 Fax. 612.436.9605 www.ccvl.com



CARLSON, CASPERS, VANDENBURGH & LINDQUIST
INTELLECTUAL PROPERTY LITIGATION & COUNSELING

Iain A. McIntyre, Ph.D.
Direct Dial: 612.436.9610
E-mail: imcintyre@ccvl.com

February 20, 2004

John C. Holman
1578 103rd Avenue NW
Coon Rapids, Minnesota 55433

Re: U.S. Patent Application Serial Number 10/655,735 for:
METHOD FOR FACE-MOUNTING OPTICAL COMPONENTS AND DEVICES
USING SAME
Our Reference No. 1010.8126U2

Re: U.S. Patent Application Serial Number 10/656,919 for:
MODULE ASSEMBLY FOR FIBER OPTIC ISOLATOR
Our Reference No. 1010.8144UU

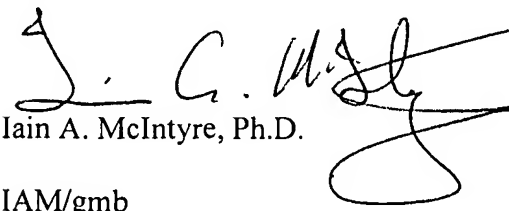
Dear Mr. Holman:

On January 14, 2004, we sent you formal documents relating to the ADC patent applications referenced above. The documents included Declaration and Power of Attorney forms and Assignments to ADC. We have received the return postcards from the United States Postal Service indicating that you received the documents, but have not yet received the executed documents back from you.

If you have any questions regarding these documents or the patent applications, please contact me at the phone number above. Otherwise, please sign the documents and return them to me at your earliest convenience.

Your cooperation in this matter will be appreciated.

Very truly yours,


Iain A. McIntyre, Ph.D.

IAM/gmb

A Professional Corporation

225 South Sixth Street, Suite 3200, Minneapolis, MN 55402
Tel. 612.436.9600 Fax. 612.436.9605 www.ccvl.com

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John C. Holman
1578 103rd Avenue NW
Coon Rapids, MN 55433

2. Article Number
(Transfer from service label)

7003 2260 0007 2967 3509

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY**A. Signature**

X

John C. Holman ☐ Agent ☒ Addressee

B. Received by (Printed Name)

John C. Holman

C. Date of Delivery

1-21-04

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Domestic Return Receipt

2ACPRI-03-P-408